

AMENDED IN ASSEMBLY MARCH 26, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 924**

---

**Introduced by Assembly Member Cooley**

February 26, 2015

---

*An act to add Article 1 (commencing with Section 18701) to Chapter 3 of Part 10.2 of Division 2 of the Revenue and Taxation Code, and to amend Section 18969 of the Welfare and Institutions Code, relating to taxation.*

LEGISLATIVE COUNSEL'S DIGEST

AB 924, as amended, Cooley. ~~Income taxes: credit: high-speed Internet access. Personal income tax: voluntary contributions: State Children's Trust Fund.~~

~~The Personal Income Tax Law Existing law allows for various credits against the tax imposed by that law: individual taxpayers to contribute amounts in excess of their personal tax liability for the support of specified funds or accounts and previously allowed contributions to the State Children's Trust Fund, which provided funding for child abuse and neglect prevention and intervention programs.~~

~~This bill would state the intent of the Legislature to enact legislation to provide a tax credit for the purchase of high-speed Internet access for deaf or hard-of-hearing taxpayers: would, for taxable years beginning on or after January 1, 2015, allow individual taxpayers to contribute amounts in excess of their tax liability to the State Children's Trust Fund, and would require the Franchise Tax Board to designate the fund as the first voluntary contribution option on the personal income tax return. This bill would, upon appropriation by the Legislature, provide~~

for the specified allocation from the State Children's Trust Fund of the contribution amounts obtained pursuant to this bill.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Article 1 (commencing with Section 18701) is  
2     added to Chapter 3 of Part 10.2 of Division 2 of the Revenue and  
3     Taxation Code, to read:

4  
5                     Article 1. State Children's Trust Fund  
6

7     18701. (a) An individual may designate on the tax return that  
8     a contribution in excess of the tax liability, if any, be made to the  
9     State Children's Trust Fund established by Section 18969 of the  
10    Welfare and Institutions Code.

11    (b) The contributions shall be in full dollar amounts and may  
12    be made individually by each signatory on a joint return.

13    (c) A designation under subdivision (a) shall be made for a  
14    taxable year on the original return for that taxable year, and once  
15    made shall be irrevocable. If payments and credits reported on  
16    the return, together with any other credits associated with the  
17    individual's account, do not exceed the individual's tax liability,  
18    the return shall be treated as though no designation has been  
19    made.

20    (d) If an individual designates a contribution to more than one  
21    account or fund listed on the tax return, and the amount available  
22    is insufficient to satisfy the total amount designated, the  
23    contribution shall be allocated among the designees on a pro rata  
24    basis.

25    (e) The Franchise Tax Board shall revise the form of the return  
26    to include a space labeled "State Children's Trust Fund for the  
27    Prevention of Child Abuse" to allow for the designation permitted  
28    under subdivision (a). The form shall also include in the  
29    instructions information that the contribution may be in the amount  
30    of one dollar (\$1) or more and that the contribution shall be used  
31    to support child abuse prevention programs with demonstrated  
32    success, public education efforts to change adult behaviors and  
33    educate parents, innovative research to identify best practices,

1 *and the replication of those practices to prevent child abuse and*  
2 *neglect.*

3 *(f) The Franchise Tax Board shall designate the “State*  
4 *Children’s Trust Fund for the Prevention of Child Abuse” as the*  
5 *first voluntary contribution option on the personal income tax*  
6 *return.*

7 *(g) A deduction shall be allowed under Article 6 (commencing*  
8 *with Section 17201) of Chapter 3 of Part 10 for a contribution*  
9 *made pursuant to subdivision (a).*

10 *18702. The Franchise Tax Board shall notify the Controller*  
11 *of both the amount of money paid by taxpayers in excess of their*  
12 *tax liability and the amount of refund money that taxpayers have*  
13 *designated pursuant to Section 18701 to be transferred to the State*  
14 *Children’s Trust Fund. The Controller shall transfer from the*  
15 *Personal Income Tax Fund to the State Children’s Trust Fund an*  
16 *amount not in excess of the sum of the amounts designated by*  
17 *individuals pursuant to Section 18701 for payment into that fund.*

18 *18703. All money transferred to the State Children’s Trust*  
19 *Fund, upon appropriation by the Legislature, shall be allocated*  
20 *as follows:*

21 *(a) To the Franchise Tax Board and the Controller for*  
22 *reimbursement of all costs incurred by the Franchise Tax Board*  
23 *and the Controller in connection with their duties under this article.*

24 *(b) Up to 10 percent to the State Department of Social Services*  
25 *to pursue public education about child abuse and neglect*  
26 *prevention and early intervention in order to encourage voluntary*  
27 *contributions to the State Children’s Trust Fund. The State*  
28 *Department of Social Services may delegate these duties by*  
29 *entering into a contract with a designated private entity that has*  
30 *demonstrated experience in education and promotion.*

31 *(c) The remainder to the State Department of Social Services*  
32 *for innovative child abuse and neglect prevention and intervention*  
33 *programs operated by private nonprofit organizations or public*  
34 *institutions of higher education with recognized expertise in fields*  
35 *related to child welfare and for evaluation, research, or*  
36 *dissemination of information concerning existing program models*  
37 *for the purpose of replication of successful models as specified in*  
38 *Article 5 (commencing with Section 18965) of Chapter 11 of Part*  
39 *6 of Division 9 of the Welfare and Institutions Code.*

1     18704. *It is the intent of the Legislature that this article creates*  
2 *an additional source of funding for a specified purpose. The funds*  
3 *generated by this article shall not be used in place of funds from*  
4 *other sources that are available to the State Children's Trust Fund.*

5     18705. *This article applies to returns for taxable years*  
6 *beginning on or after January 1, 2015.*

7     SEC. 2. *Section 18969 of the Welfare and Institutions Code is*  
8 *amended to read:*

9     18969. (a) There is hereby created in the State Treasury a fund  
10 which shall be known as the State Children's Trust Fund. The fund  
11 shall consist of funds received from a county pursuant to Section  
12 18968, funds collected by the state and transferred to the fund  
13 pursuant to subdivision (b) of Section 103625 of the Health and  
14 Safety Code and Article 2 (~~commencing with Section 18711~~) *1*  
15 *(commencing with Section 18701)* of Chapter 3 of Part 10.2 of  
16 Division 2 of the Revenue and Taxation Code, grants, gifts, or  
17 bequests made to the state from private sources to be used for  
18 innovative and distinctive child abuse and neglect prevention and  
19 intervention projects, and money appropriated to the fund for this  
20 purpose by the Legislature. The State Registrar may retain a  
21 percentage of the fees collected pursuant to Section 103625 of the  
22 Health and Safety Code, not to exceed 10 percent, in order to defray  
23 the costs of collection.

24     (b) Money in the State Children's Trust Fund, upon  
25 appropriation by the Legislature, shall be allocated to the State  
26 Department of Social Services for the purpose of funding child  
27 abuse and neglect prevention and intervention programs. The  
28 department may not supplant any federal, state, or county funds  
29 with any funds made available through the State Children's Trust  
30 Fund.

31     (c) The department may establish positions as needed for the  
32 purpose of implementing and administering child abuse and neglect  
33 prevention and intervention programs that are funded by the State  
34 Children's Trust Fund. However, the department shall use no more  
35 than 5 percent of the funds appropriated pursuant to this section  
36 for administrative costs.

37     (d) No State Children's Trust Fund money shall be used to  
38 supplant state General Fund money for any purpose.

39     (e) It is the intent of the Legislature that the State Children's  
40 Trust Fund provide for all of the following:

1 (1) The development of a public-private partnership by  
2 encouraging consistent outreach to the private foundation and  
3 corporate community.

4 (2) Funds for large-scale dissemination of information that will  
5 promote public awareness regarding the nature and incidence of  
6 child abuse and the availability of services for intervention. These  
7 public awareness activities shall include, but not be limited to, the  
8 production of public service announcements, well-designed posters,  
9 pamphlets, booklets, videos, and other media tools.

10 (3) Research and demonstration projects that explore the nature  
11 and incidence and the development of long-term solutions to the  
12 problem of child abuse.

13 (4) The development of a mechanism to provide ongoing public  
14 awareness through activities that will promote the charitable tax  
15 deduction for the trust fund and seek continued contributions.  
16 These activities may include convening a philanthropic roundtable,  
17 developing literature for use by the State Bar for dissemination,  
18 and whatever other activities are deemed necessary and appropriate  
19 to promote the trust fund.

20 ~~SECTION 1. It is the intent of the Legislature to enact~~  
21 ~~legislation to provide a tax credit for the purchase of high-speed~~  
22 ~~Internet access for deaf or hard-of-hearing taxpayers.~~